

REMARKS

Initially, Applicant expresses appreciation to the Examiner for the courtesies extended during the recent in person interview conducted with Applicant's attorney on November 12, 2009. The amendments and remarks presented in this paper are consistent with the proposals discussed during the interview and which appeared to overcome the rejections of record, subject to further review and consideration.

By this paper, claims 1, 14 and 22 have been amended, claims 12-13 and 23-30 have been amended and new claims 31-33 have been added, such that claims 1-2, 4-11, 14-22 and 31-33 remain pending. Claims 1, 14 and 22 are the independent claims at issue.

In the Non-Final Office Action, mailed October 16, 2009, claims 1, 2, 4-26 and 28-30 were considered and rejected. Claims 1, 5-10, 12-16, 18-20, 23-28 were rejected under 35 U.S.C. § 102(e) as being anticipated by Buus et al. (US Patent Publication No.: 2003/0110249), while claims 2, 4, 11, 17, 21-22, 29-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Buus et al. and in view of Pokorny M.R. (US Patent Publication No.: 2003/0154144).

As discussed during the interview, however, none of the claims are anticipated by nor rendered obvious in view of the foregoing references.

The pending claims are generally directed to embodiments in which key performance indicator (KPI) data is identified and used to generate corresponding documents and interface displays to reflect the value, goal, status, trend and weight of different KPIs. Claim 1 is directed to a key performance indicator system, claim 14 is directed to a method for retrieving key performance indicators, and claim 22 is directed to a corresponding computer readable storage media.

All of the claims have been amended to clarify that the KPI document is created has text and graphical display parameters for each of the one or more KPIs that are to be retrieved and which correspond to a value, goal, a status, a trend and a weight of each KPI, and such that a corresponding result document generated with the retrieved KPI information can be used by an interface component to generate a user interface display that includes one or more of the KPIs of interest along with a representation of the value, the goal, the status, the trend and the weight of each of the displayed one or more KPIs. Such an embodiment is illustrated in Figure 6 and is described in the corresponding disclosure in the Specification.

The cited references generally relate to the display of production and parameter information within one or more interfaces. However, the 'dashboard' interface in Buus and the reporting

interfaces of Pokorny fail to disclose or suggest the embodiments that are recited in the amended claims that are now pending for at least the reasons discussed during the interview. At the very least, for example, Buus and Pokorny fail to disclose any embodiment in which a KPI document includes text and graphical display parameters which correspond to a value, a goal, a status, a trend and a weight for KPIs of interest and which is used to generate a result document that specifies presentation data regarding KPI graphics and values to be used by a user interface component in displaying the corresponding value, goal, status, trend and weight for each KPI of interest and which is used to generate a user interface that includes the one or more KPIs of interest along with a representation of the value, the goal, the status, the trend and the weight of at least one of the displayed one or more KPIs.

In view of the foregoing, Applicant respectfully submits that all the rejections to the independent claims are now moot and that the independent claims are now allowable over the cited art, such that any of the remaining rejections and assertions made, particularly with respect to the dependent claims, do not need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant acquiescing to any of the purported teachings or assertions made in the last action regarding the cited art or the pending application, including any official notice, and particularly with regard to the dependent claims.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at 801-533-9800.

Dated this 24<sup>th</sup> day of November, 2009.

Respectfully submitted,



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